



## **Ordinance Number 542**

### **AN ORDINANCE AMENDING CHAPTER 171 OF THE CODE OF THE TOWN OF ELSMERE CONCERNING INSTANT TICKETS**

Sponsored By: 2nd District Councilman Steven Burg

#### **First and Second Reading:**

August 11, 2011

**Results: Passed 4 In Favor, 2 Opposed with 1 Absent**

#### **Third and Final Reading:**

September 08, 2011

**Results: Passed 4 In Favor, 3 Opposed**

# Ordinance Number 542

## AN ORDINANCE AMENDING CHAPTER 171 OF THE CODE OF THE TOWN OF ELSMERE CONCERNING INSTANT TICKETS

**WHEREAS**, the Mayor and Council has determined that allowing those issued violation notices which are more commonly known as "Instant Tickets" seventy two (72) hours to abate a violation before a fine is imposed is contrary to the concept of an "Instant Ticket"; and

**WHEREAS**, the Mayor and Council have determined that an "Instant Ticket" should be accompanied by an "Instant Fine".

### **NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:**

That Chapter 171 Section 171-7A, of the Code of the Town of Elsmere be deleted in its entirety, and a new Chapter 171-7A, be inserted in its place to read as follows.

- A. Any person who violates the Property Maintenance Code of the Town of Elsmere, as adopted pursuant to § 171-5 of Chapter 171, shall be subject to and liable for a civil penalty in the amount of \$50. This civil penalty shall be paid within 30 days of the date of the citation (the "payment deadline"), even if the violation is cured by such date. If it is not paid by the payment deadline, then the civil penalty imposed under this section shall give rise to a lien pursuant to Title 25, Chapter 29, of the Delaware Code. Each seventy-two-hour period that the condition giving rise to the issuance of a citation continues after a citation has been issued shall be considered a new and separate offense and as such will be subject to a separate citation and an additional civil penalty in the amount of \$50.

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August 11, 2011  
First and Second Reading

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September 08, 2011  
Third and Final Reading

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Deborah A. Norkavage, Mayor

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Joann I. Personti, Secretary

Approved as to form:

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Town Solicitor

**SYNOPSIS**  
**ORDINANCE 542**

This Ordinance removes the 72 hour grace period from the Town's "Instant Ticket" process and by doing so assesses the fine for these violations immediately.

**Fiscal Impact:**

It is anticipated that the Code Department would see an increase in fines of approximately \$10,000.00 annually.